



AGENDA
Committee on Public Services
Friday, March 18, 2016 @ 2:00 p.m. (note time)
City Council Conference Room, 10th Floor

Councilmember Kathie Dunbar, Chair
Councilmember Patricia Spitzley, Vice Chair
Councilmember Adam Hussain, Member

1) Call to Order

2) Minutes

- December 11, 2015

3) Public Comment on Agenda Items

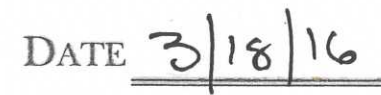
4) Discussion/Action:

A.) Memorial Review Board Rules of Administrative Procedures

B.) Discussion – City of Lansing Fleet Service

5) Other

6) Adjourn





MINUTES
Meeting of Committee on Public Service
Friday, March 18, 2016 @ 2:00 p.m.
Tenth Floor Conference Room – Lansing City Hall

CALL TO ORDER

The meeting called to order at 2:06 p.m.

ROLL CALL

Councilmember Kathie Dunbar, Chair
Councilmember Patricia Spitzley, Vice Chair
Councilmember Adam Hussain, Member

OTHERS PRESENT

Sherrie Boak, Council Staff
Chris Swope, City Clerk
Yolanda Bennett, Assistant City Attorney
Dennis Parker, UAW President
Steve Goodwin, Fleet Garage Employee

MINUTES

MOTION BY COUNCIL MEMBER DUNBAR TO PLACE THE MINUTES OF DECEMBER 11, 2015 ON FILE. MOTION CARRIED 3-0.

Discussion/Action:

MEMORIAL REVIEW BOARD RULES OF ADMINISTRATIVE PROCEDURES

Council Member Hussain offered corrections to the formatting, including page 2, A. – “..for public inspection no later than...”; PAGE 2 c. “.. keeping a record of all ...”; signature page, “THESE RULES OF ADMINISTRATIVE ...”;

Council Member Dunbar recalled that the Board was attempted to be dissolved in the past because there are a rare occasions for requests, and therefore these duties could have been between the Public Service Board because the assets are in the park system. Her preference would have the duties divided between Planning and Public Service.

Mr. Swope noted his opinion that there is no forward movement on eliminating or moving to other Boards, and his participation as staffing the Board recently occurred. Mr. Swope noted that there is no action needed after it is referred. Council Member Dunbar asked why it was referred for review. Mr. Swope stated that even though the Charter says the “rules shall be effective at the conclusion of the Council meetings at which they are received unless Council

directs otherwise.” does not consider “referring to Committee” as action. The Council should have taken action the night they appeared on the Council agenda, and therefore since they did not they are already approved. The typo’s can be corrected, and Council Member Dunbar asked that those be done before printing.

Discussion on City of Lansing Fleet Service

Council Member Dunbar clarified for the Committee that the discussion today was not about the NAPA contract itself, but how it is effecting the department which may or may not be financial. Mr. Parker and Mr. Goodwin were invited to the meeting by Council Member Dunbar. Any questions on the NAPA contract should have been sent to Council Member Brown Clarke already and Council Member Dunbar and Hussain were still formulating theirs.

Council Member Dunbar asked Mr. Goodwin questions as to what his role is in the Fleet Garage and there was then discussion by everyone present as to the atmosphere in the garage, interaction with vendors, and NAPA. Mr. Goodwin confirmed he is doing his job as directed and assisting NAPA employees. Mr. Parker gave a brief history of how things got to where they are now with NAPA. There was also a comment by Mr. Parker of a recent request by the Administration for finger printing of all employees who have any interaction, connection or proximity to the Police vehicles due to the LIEN Computer Program in the cars. This was never discussed with the UAW. Council Member Spitzley confirmed she too spoke to Mr. Chad Gamble and was told the requirement did have to do with the State law for anyone who works on police cars. Mr. Parker noted he contacted the LIEN representatives and is asking it to be done for everyone who is in proximity not just his guys. He is asking for the work policy and job description where it says it is a requirement. The employees were told they would be laid off if they did not provide the documentation. Council Member Spitzley then stated her belief that it appears to be a work rule, not a law. If the policy was required across the Board but it appears the practice has not been implemented. Mr. Parker noted they do not dispute the fingerprinting, but wonder why now, since the LIEN computers have been in the vehicles. After talking to the LIEN auditors they would not consider Public Service having unescorted access, because the officer should be logging out of the work station before leaving the car unattended. The Committee inquired if the City had a copy of the LIEN policy, and Council Staff inquired with the City Clerk, who stated we do not have a copy nor would we have a copy since it is a State requirement and potentially a department policy, which they don’t keep. Mr. Parker is asking for a policy be developed and implemented across the board. Council Member Dunbar then asked Law if the Police have training. Ms. Bennett could not confirm.

The Committee moved onto the discussion of staffing of NAPA and City employees and the effect on the budget. Mr. Parker informed the Committee there are 14 employees with 4 supervisors. The area can be run with 2 supervisors. On weekends there are 4 employees and 4 supervisors. There is a belief by some that there is a larger issue with overtime that is not functional. There is no long term cost savings with the staffing or the NAPA Contract in the long run. Council Member Hussain asked Mr. Parker if the two City employees were told yet where they will be going and Mr. Goodwin outlined the process that occurred starting February 12th, noting it is a stressful situation.

The Committee discussed the inventory process that was currently being done, and if an inventory was taken on February 12, 2016. Council Staff was directed to contact Public Service, Lisa Bannister, and ask for a print out. Mr. Goodwin stated that the inventory was started by not done. There is a NAPA management team member whose job it is to identify parts on shelf, and affix the count to their computer, which Mr. Goodwin stated the City employees do not have access to. He confirmed the last City inventory was fiscal year June 2015. They also do spot check with other parts employees thru out the year. Council Member Spitzley asked if the \$500,000 amount in Mr. Gamble’s letter was based on the June 2015

inventory. Mr. Goodwin could not confirm which inventory it was based on. Council Member Spitzley reminded the Committee what Mr. Gamble stated at the Committee of the Whole meeting where he stated they would be using City parts then bring in NAPA parts. Council Member Dunbar added to the conversation by stating that the City is providing the brick and mortar store front and cost of doing business. It was noted that the City also provided NAPA with a City truck and there are other items the City is taking all the cost on. Council Member Spitzley informed the Committee that a recently a NAPA employee fell in the parking lot and now the City is paying for that NAPA employee on leave.

Council Member Dunbar asked Law about the contract with the effective date missing. Ms. Bennett asked to see a copy of the contract. Council Member Dunbar brought to the Committee attention that because NAPA has a contract for the store, the City is now paying property taxes on it.

Council Member Dunbar and Hussain asked for clarification on the purchase of parts since Council was told they would not purchase NAPA parts until the City parts were used, however they are already purchasing. What criteria is being used to determine when to purchase and also where is the credit for the parts that were there on February 12, 2016. Mr. Parker provided examples or where there has been a 12-42% increase, and even freight has gone up from \$12.50 in some cases to \$25. Council Member Spitzley noted that the inventory needs to be itemized accounting or a regular audit needs to be performed, because if NAPA is getting a discount are they charging the City regular prices plus 10%.

The Committee questioned the contract since it had no end date listed, but said either party can end it at any time.

Mr. Parker outlined a few examples of where it is now taking longer for vehicles to be repaired, including a ladder fire truck, which because of the delay the City had to borrow a ladder truck from Delhi for 3 weeks.

Council Member Spitzley advised Mr. Parker that the only way to slow down things could be arbitration or collective bargaining. Council needs to keep the administration accountable and she is not sure what other end point is outside of the collective bargaining. Mr. Parker suggested they address it in the budget. Council Member Dunbar clarified that if Council addressed it, then the Administration can take funds from other Departments. Mr. Parker asked them to state in their budget resolution "no money can be allocated for...". Council Member Spitzley informed Mr. Parker they would then be punishing other areas for this area.

Council Member Dunbar reminded the Committee that questions on the NAPA contract are due and will be addressed at the March 28th Committee of the Whole meeting.

OTHER

ADJOURN

The meeting was adjourned at 3:49 p.m.
Submitted by, Sherrie Boak,
Recording Secretary
Lansing City Council
Approved: April 15, 2016



MINUTES
Meeting of Committee on Public Service
Friday, December 11, 2015 @ 12:30 p.m.
Tenth Floor Conference Room – Lansing City Hall

CALL TO ORDER

The meeting called to order at 12:36 p.m.

ROLL CALL

Councilmember Kathie Dunbar, Chair
Councilmember Jody Washington, Vice Chair
Councilmember Vincent Delgado, Member

OTHERS PRESENT

Sherrie Boak, Council Staff
Yolanda Bennett, Assistant City Attorney
Calvin Jones, BWL
Dick Peffley, BWL
Ray Miller, BWL

MINUTES

Council Member Washington informed the Committee that she met with the residents after the last Committee meeting regarding the park, and they do not want to move the dirt for a new sled hill.

MOTION BY COUNCIL MEMBER DELGADO TO APPROVE THE MINUTES FROM OCTOBER 28, 2015 AS PRESENTED. MOTION CARRIED 3-0.

Discussion/Action

Council Member Dunbar updated all present that the topic was on the agenda because a resident approach Council at the last meeting about Light Speed internet co-locating on a pole in her year. Light Speed was approached for payment and to attend this meeting, however Mr. Schreiber with Light Speed declined. Mr. Peffley noted that Light Speed asked for one permit for one neighborhood, so until everything is up and to date they can't start.

Mr. Peffley agreed with the statement by Council Member Dunbar and stated they are actively working on educating Light Speed. When Light Speed obtains and access permit they are told that does not authorize them in the easement just to co-locate on the pole and they are informed they have to get approval from the owner. The BWL obtains an easement their get an easement for the poles, access and to run the utilities to it.

DRAFT MINUTES

Mr. Miller confirmed that the BWL recommends that any utility that is co-locating to speak to the property owners and put on their door tags. Even though BWL allows them on the pole, they have no land rights. To search any easement they can review recorded documents at the Register of Deeds.

Council Member Dunbar asked what the Metro Act had to do with this issue, and Mr. Miller detailed the specific property installations of a new pole requiring the other utilities to move to the new pole. Mr. Peffley noted that any complaints they receive from residents that Light Speed ran thru their yard with no easement, they suggest they contact Light Speed directly. Council Member Dunbar asked how far back in time can a resident go, Mr. Peffley could not answer due lack of expertise in legal, and Ms. Bennett stated she would have to review the Metro Act, and also research if it is fell under trespassing. Council Member Delgado concluded that if it is addressed in the Metro Act then it takes the authority out of the Council hands; in addition there are State and Federal regulations, so Council can do nothing on this topic.

Council Member Dunbar asked BWL to forward to her a copy of the agreement with Light Speed. Mr. Peffley stated he could forward a blank agreement which is a standard to anyone who is attaching to the poles.

Council Member Washington suggested informing the public on the process and easements for transparency.

Ms. Bennett suggested that Council only advise that they, residents, should contact an attorney if they have a concern with the easement, since each situation is different and their attorney will set the appropriate course. Council Member Delgado asked if the Police need to be educated in case they get a 911 call for trespassing. Ms. Bennett noted that would be a training issue.

The consensus of the Committee was the Committee Chairperson report back to the resident that brought this to their attention at the Council meeting and to Light Speed.

OTHER

Drones

Council Member Dunbar cited an incident at a County Park, and their policy not allowing drones in their parks. The Committee reviewed the Council policy. Council Member Washington gave an example of drone situation in a residential area that she was made aware of. Council Member Delgado distributed information from a recent internet search on the topic. The articles were from Ferndale, Michigan and City Mayors Society. It was noted that Council should also include organizations/groups of unmanned aircrafts. Ms. Bennett noted she was aware of the Law Department working with the LPD on possible regulations, but had not seen anything. Recently there have been two laws passed dealing with drones and hunting. FAA proposed rules being considered. Council Member Dunbar suggested crafting something to educate the public. Council Member Washington suggested recommending to the Committee on Public Service in 2016 to invite the LPD to their first meeting to update Council on their approach. Council Member Delgado suggested the Council act immediately on a park policy.

ADJOURN

The meeting was adjourned at 1:45 p.m.

Submitted by, Sherrie Boak,

Recording Secretary, Lansing City Council

Approved:_____



Chris Swope
Lansing City Clerk

February 26, 2016

President and Members of the Lansing City Council
10th Floor City Hall
Lansing, MI 48933

Re: Memorial Review Board Rules of Administrative Procedure

Dear President and Members of Council:

The attached Memorial Review Board Rules of Administrative Procedure have been approved by the City Attorney and submitted to my office. The Lansing City Charter provides "The rules shall be effective at the conclusion of the Council meetings at which they are received unless the Council directs otherwise." The Charter further provides "The Council may object to the rules in whole or in part and may return them to the board proposing their adoption with a statement of its objections and recommendations.

Sincerely,

A handwritten signature in cursive script that reads "Chris Swope".

Chris Swope, CMC
Lansing City Clerk

CITY OF LANSING
MEMORIAL REVIEW BOARD

RULES OF ADMINISTRATIVE PROCEDURE

The following rules of procedure are adopted by the Lansing Memorial Review Board (herein "Board") to facilitate the performance of its duties and the exercising of its responsibilities, in its capacity as set forth in Article 5, Chapter 1 of the Lansing City Charter and Chapter 1034 of the Lansing Code of Ordinances.

Section 1.0 OFFICERS

1.1 Selection of Officers

- A. The Board shall, at its first annual meeting, elect from among the members a Chairperson and Vice Chairperson by a majority vote.
- B. The terms of office for the Chairperson and the Vice Chairperson shall expire upon the date of June 30th of each year.
- C. If either position is vacated for whatever reason, the remaining members shall elect from the seated members a new Chairperson or Vice Chairperson to fulfill the unexpired term by a majority vote.
- D. The Board shall designate a Recording Secretary of the Memorial Review Board. If the Recording Secretary is not a member of the Board, the Recording Secretary shall not be entitled to vote on matters before the Board.

1.2 Duties of the Board

The Board shall perform the duties and activities set forth in Chapter 1034 of the Lansing Code of Ordinances.

1.3 Duties of the Chairperson

The duties of the Chairperson shall be as follows:

- A. The Chairperson shall preside at all meetings of the Board; perform such other duties as may be directed by the Board; and perform such other duties as are normal and customary to the office.
- B. The Vice Chairperson shall act in the capacity of the Chairperson in the event of absence or incapacity for the balance of the Chairperson's term.

1.4 Duties of the Recording Secretary

The duties of the Recording Secretary are as follows:

- A. The Recording Secretary shall be responsible for maintaining the minutes of Board meetings and shall have them available in suitable volumes. Proposed minutes shall be available for public inspection no later than eight (8) business days after that meeting. Approved minutes shall be available for public inspection not later than five (5) business days after the meeting at which the minutes are approved. Copies of the minutes shall be distributed to all Board members prior to the meeting at which they will be considered for approval.
- B. The Recording Secretary shall file the approved minutes of each Board meeting in the office of the City Clerk as a public record. Sec. 1.4(A).
- C. The Recording Secretary shall be responsible for keeping a record all business of the Board.
- D. All communications, petitions, applications and reports shall be addressed to the Board and delivered or mailed to the Recording Secretary.
- E. The Recording Secretary shall perform other duties as the Board may determine or direct and perform such other duties as are normal and customary to said office.
- F. The Recording Secretary shall cooperate and assist the City Freedom of Information Act officer in responding to requests for information in accordance with the Michigan Freedom of Information Act, being 1977 PA 442 as amended; MCL 15.231 et. seq.

Section 2.0 MEETINGS

2.1 Meetings

- A. The Board shall vote annually on a schedule of meeting times. The meetings shall be held at these times unless cancelled by the Chairperson or rescheduled by vote.
- B. The business conducted by the Memorial Review Board shall be open to the public and held in compliance with Act 267 of the Public Acts of 1976, as amended, being MCL 15.261 to 15.275. Public notice of the time, date and place of such meetings shall be given in the manner required by the Act.
(Ord. No. 1147, § 1, 12-8-09)
- C. Members of the general public are permitted to attend the Board meetings

and shall have a reasonable opportunity to speak on issues before the Board, provided that the Board may limit the time for public comment and the length of time permitted to all speakers generally, and may grant such additional time to any speaker as the Board deems consistent with its carrying out of its duties and functions.

2.2 Quorum

- A. A majority of the persons on the Board appointed shall constitute a quorum for the transaction of business.
- B. The Board shall take no official action or make any determination without the concurrence of a majority of a quorum.
- C. Whenever a quorum is not present at a meeting, those present may adjourn the meeting or may meet as a Committee of the Whole for the purpose of receiving information and accepting public comments on such matters as are on the agenda. However, no official action(s) may be taken.

2.3 Attendance

- A. Board members shall attend scheduled meetings regularly.
- B. Following roll call, the Chairperson shall inquire whether any absent member had requested their absence be excused. The Recording Secretary or any member of the Board may relate to the Chairperson any such request made to them and the reason for that request. A motion to excuse that member may be approved by a majority vote of the members at a meeting in which there is a quorum.
- C. Any Board member who is absent without being excused from three (3) consecutive meetings may be removed from the Board in accordance with Section 5-105.7 of the Lansing City Charter.
- D. The Chairperson shall transmit notice of these absences to the Mayor by letter upon an affirmative vote of four (4) members.
- E. Such procedures do not prohibit a member from voluntary resignation.

2.4 Order of Business

The Agenda for each meeting, prepared by the Recording Secretary, shall contain the following elements:

- 1. Call to Order
 - A. Roll Call

- B. Excused Absences
- 2. Approval of the Agenda
- 3. Communications
- 4. Business Session
 - A. Approval of Minutes
 - B. Reports, Presentation, Board Questions and Discussions
 - C. Old Business
 - D. New Business
 - E. Board Member Comments
- 5. Items under Suspension of the Rules
- 6. Public Comment
- 7. Adjournment

2.5 Motions

- A. Motions made by a member shall be restated by the Chairperson before a vote is taken.
- B. The names of the persons making the motion and its second shall be recorded in the minutes.

2.6 Voting

- A. Voting shall be recorded by verbal ayes and nays, unless otherwise ordered by the Chairperson, except that roll call votes shall be taken on official action and determinations.
- B. All members of the Board in attendance shall vote on all matters unless recused.
- C. The Chairperson shall vote last.

2.7 Notification of the Board Action

A copy of the letter notifying the Mayor and City Council of action taken by the Board will be sent to the originators of a request for the Board to study a particular item.

2.8 Parliamentary Procedure

Meetings shall be conducted according to Robert's Rules of Order, Revised (except the Chairperson shall be entitled to vote).

Section 3.0 AMENDMENTS

3.1 Amendments to the Rules of Administrative Procedure

Amendments to the Rules of Administrative Procedure may be initiated by any member of the Board at any regular meeting and voted upon at the next regular meeting. All Board members must be notified of such amendments by mail at least three (3) days before the amendment is to be voted upon. The affirmative vote of five (5) members present shall be required to amend the Rules of Administrative Procedure.

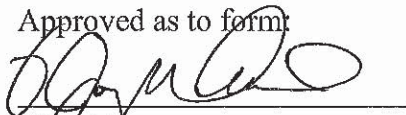
3.2 Suspension of Rules

It shall require a majority of those members present of the Board to suspend the Rules of Administrative Procedure.

THESE RULES OF ADMINISTRATIVE PROCEDURE ARE ADOPTED THE 9th DAY OF FEBRUARY, 2016.

BY THE MEMORIAL REVIEW BOARD

Approved as to form



City Attorney



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